

# **EXHIBIT A**

17810.00244-WJK

**MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN**

BY: Walter J. Klekotka, Esquire; 015931987

Woodland Falls Corporate Park

200 Lake Drive East, Suite 300

Cherry Hill, NJ 08002

856-414-6000

Attorney for plaintiffs M&J Landscape Products, LLC. and Mark Sievert

M&J LANDSCAPE PRODUCTS, LLC. and  
MARK SIEVERT,

Plaintiffs,

vs.

PENNSYLVANIA LUMBERMENS  
MUTUAL INSURANCE COMPANY  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
OCEAN COUNTY

DOCKET NO.: OCN-L-1374-15  
**CIVIL ACTION**

**SUMMONS**

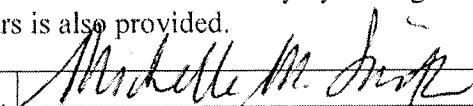
FROM: THE STATE OF NEW JERSEY

TO: Pennsylvania Lumbermens Mutual Insurance Company  
2005 Market Street, Suite 1200  
Philadelphia, PA 19103

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

	
Michelle M. Smith	
Clerk of the Superior Court	
DATED: May 26, 2015	
Name of Defendant to Be Served: Pennsylvania Lumbermens Insurance Company	
Address of Defendant to Be Served: 2005 Market Street, Suite 1200 Philadelphia, PA 19103	

LEGAL/100265899.v1

**ATLANTIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

LAWYER REFERRAL

(609) 345-3444

LEGAL SERVICES

(609) 348-4200

**BERGEN COUNTY:**

Deputy Clerk of the Superior Court  
Case Processing Section, Room 119  
Justice Center, 10 Main St.  
Hackensack, NJ 07601-0769

LAWYER REFERRAL

(201) 488-0044

LEGAL SERVICES

(201) 487-2166

**BURLINGTON COUNTY:**

Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

LAWYER REFERRAL

(609) 261-4862

LEGAL SERVICES

(609) 261-1088

**CAMDEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Processing Office  
1<sup>st</sup> Fl., Hall of Records  
101 S. Fifth St.  
Camden, NJ 08103

LAWYER REFERRAL

(856) 964-4520

LEGAL SERVICES

(856) 964-2010

**CAPE MAY COUNTY:**

Deputy Clerk of the Superior Court  
9 N. Main Street  
Box DN-209  
Cape May Court House, NJ 08210

LAWYER REFERRAL

(609) 463-0313

LEGAL SERVICES

(609) 465-3001

**CUMBERLAND COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad & Fayette Sts., P.O. Box 615  
Bridgeton, NJ 08302

LAWYER REFERRAL

(856) 692-6207

LEGAL SERVICES

(856) 451-0003

**ESSEX COUNTY:**

Deputy Clerk of the Superior Court  
50 West Market Street  
Room 131  
Newark, NJ 07102

LAWYER REFERRAL

(973) 622-6207

LEGAL SERVICES

(973) 624-4500

**GLOUCESTER COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street, P.O. Box 129  
Woodbury, NJ 08096

LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

**HUDSON COUNTY:**

Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House - 1<sup>st</sup> Floor  
583 Newark Ave.  
Jersey City, NJ 07306

LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

**HUNTERDON COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

LAWYER REFERRAL  
(908) 735-2611  
LEGAL SERVICES  
(908) 782-7979

**MERCER COUNTY:**

Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

**MIDDLESEX COUNTY:**

Deputy Clerk of the Superior Court  
Administration Building  
Third Floor  
1 Kennedy Sq., P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

**MONMOUTH COUNTY:**

Deputy Clerk of the Superior Court  
Court House  
7 I Monument Park P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

**MORRIS COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Pl., P.O. Box 910  
Morristown, NJ 07960-0910

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

**OCEAN COUNTY:**

Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754

LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

**PASSAIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton St.  
Paterson, NJ 07505

LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 345-7171

**SALEM COUNTY:**

Deputy Clerk of the Superior Court  
92 Market St., P.O. Box 18  
Salem, NJ 08079

LAWYER REFERRAL  
(856) 935-5628  
LEGAL SERVICES  
(856) 451-0003

**SOMERSET COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3<sup>rd</sup> Fl.  
P.O. Box 3000  
Somerville, NJ 08876

LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

**SUSSEX COUNTY:**

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

**UNION COUNTY:**

Deputy Clerk of the Superior Court  
1<sup>st</sup> Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL  
(908) 267-5882  
LEGAL SERVICES  
(908) 475-2010

Note: Adopted July 13, 1994, effective September 1, 1994; amended June 28, 1996, effective September 1, 1996; address/phone information updated July 1, 1999, effective September 1, 1999; amended July 12, 2002 to be effective September 3, 2002; amended July 27, 2006 to be effective September 1, 2006.

17810.00244-WJK

**MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN**

BY: Walter J. Klekotka, Esquire; 015931987

Woodland Falls Corporate Park

200 Lake Drive East, Suite 300

Cherry Hill, NJ 08002

856-414-6000

Attorney for plaintiffs M&J Landscape Products, LLC. and Mark Sievert

RECEIVED & FILED

MAY 14 2015

SUPERIOR CT., OCEAN

M&J LANDSCAPE PRODUCTS, LLC. and  
MARK SIEVERT,  
Plaintiffs,

vs.

PENNSYLVANIA LUMBERMENS  
MUTUAL INSURANCE COMPANY  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
OCEAN COUNTY

DOCKET NO.: OCN-L-

3783-15

CIVIL ACTION

**COMPLAINT AND JURY TRIAL  
DEMAND**

M&J Landscape Products, LLC. (M&J) and Mark Sievert, by way of complaint against the defendant, Pennsylvania Lumbermens Mutual Insurance Company, avers as follows:

**FIRST COUNT**

1. Plaintiffs herein are defendants in a separate personal injury lawsuit filed by Bradley E. Diem in the Superior Court of New Jersey, Law Division, Ocean County, docket number OCN-L-3783-13. (The "Diem Action")

2. The First Amended Complaint in the Diem Action alleges that Bradley Diem suffered personal injuries on December 2, 2012 in the course and scope of his employment, collecting debris in the Borough of Ship Bottom following Super Storm Sandy.

3. Diem alleges that he had his hand on a boom truck/front end loader when the truck's claw came into contact with a high voltage transmission line sending an electric charge through the truck, causing Diem to sustain certain injuries.

4. The Diem Action alleges alternatively that Diem was employed by and in the course and scope of his employment with either Clay Mohon Mowing and/or M&J.

5. Mark Sievert is an employee of M&J, and was operating the front loader in the course of his employment with M&J that is alleged to have caused Mr. Diem's injuries.

6. While M&J and Mark Sievert maintain that Diem was an employee of M&J at the time of the accident, plaintiff's complaint alleges he was employed by another party, and other defendants in the Diem Action have asserted that Diem was not an employee of M&J.

7. Defendant, Pennsylvania Lumbermens Mutual Insurance Company issued a policy to M&J Landscape Products, LLC. as the named insured, which included, among other coverages, commercial general liability coverage. The declarations page is attached hereto as **Exhibit "A"**.

8. M&J and Mark Sievert have tendered its defense of the Diem Action to Pennsylvania Lumbermens, but Pennsylvania Lumbermens has failed to provide any sort of response to plaintiffs' request for a defense and indemnity in this matter, and has, therefore, tacitly denied coverage.

9. Pennsylvania Lumbermens' refusal to provide a response to M&J's tender of a defense in this matter is a breach of the contract of insurance between M&J and Pennsylvania Lumbermens.

10. M&J has been damaged by the defendant's breach.

WHEREFORE, M&J Landscape Products, LLC. and Mark Sievert demand judgment in their favor including the recovery of all defense costs incurred in the defense of the Diem Action, attorney fees pursuant to N.J. Ct. Rule 4:42-9(a)(6) and any other relief available to plaintiffs to which they shall show themselves justly entitled.

**DESIGNATION OF TRIAL COUNSEL**

Eric R. Brown, Esquire, of the firm Marshall, Dennehey, Warner, Coleman & Goggin is hereby designated as trial counsel on behalf of Plaintiffs herein pursuant to R.4:25-4.

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a trial by jury on all issues.

**CERTIFICATION**

I certify that the matter in controversy is not the subject of any other action pending in any court or of any pending Arbitration proceeding, and I know of no other parties to be joined at this time, although the matter of Diem v. Ashbritt, et al., OCN-L-3783-13 arises from the same operative facts.

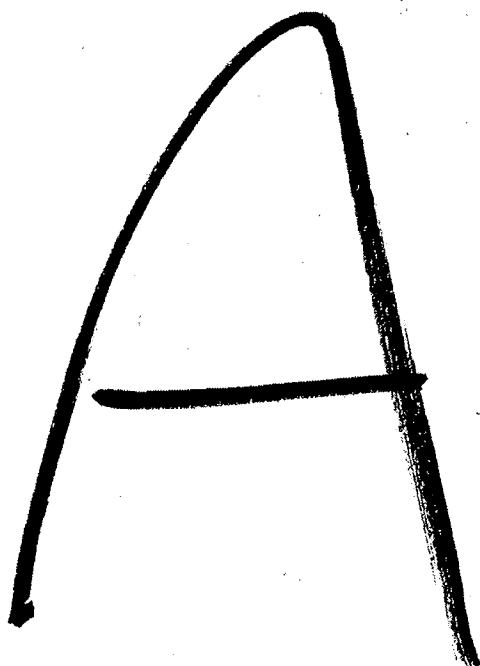
MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN

BY:

  
ERIC R. BROWN, ESQUIRE  
ATTORNEY FOR PLAINTIFFS

DATED: May 13, 2014

LEGAL/100094328.v1



PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL LINES POLICY  
COMMON POLICY  
AMENDED DECLARATIONS  
DAILY REPORT

POLICY NO. 16-M030-01-12

RENEWAL OF NUMBER 16-M030-01-10

NAMED INSURED AND MAILING ADDRESS

M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville  
P.O. Box 664  
Hopkinsville, KY 42241

POLICY PERIOD: from 11/05/11 to 11/05/13 at 12:01 A.M., Standard Time at your mailing address shown above.

On and after 11/14/12 the conditions of this Amended Declaration apply.

BUSINESS DESCRIPTION: MULCH MFG

In return for the payment of the Premium, and subject to all the terms of this policy, we agree with you to provide the Insurance as stated in this policy.

This policy consists of the following Coverage Parts for which a Premium is indicated. This Premium may be subject to adjustment.

	PREMIUM
	INCL.
Commercial Property Coverage Part	\$
Commercial General Liability Coverage Part	INCL.
Commercial Crime Coverage Part	NIL
Commercial Inland Marine Coverage Part	INCL.
Commercial Auto Coverage Part	NIL
Commercial Fidelity Coverage Part	NIL
Equipment Breakdown Coverage Part	INCL.
TOTAL PREMIUM \$ 9,358.00	
TOTAL ENDORSEMENT PREMIUM 2,638.00	
KY S. C.	152.00
KY M. T.	549.36
TOTAL \$ 12,697.36	

ADDITIONAL PREMIUM: \$500.00

COMMISSION 10.00%

JD 190 (O) (ED. 85)

BROKER COPY

0063  
03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL LINES POLICY  
COMMON POLICY  
AMENDED DECLARATIONS  
DAILY REPORT

POLICY NO. 16-M030-01-12

RENEWAL OF NUMBER 16-M030-01-10

NAMED INSURED AND MAILING ADDRESS

M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville  
P.O. Box 664  
Hopkinsville, KY 42241

POLICY PERIOD: from 11/05/11 to 11/05/13 at 12:01 A.M., Standard Time at  
your mailing address shown above.

On and after 11/14/12 the conditions of this Amended Declaration apply.

FORM(S) AND ENDORSEMENT(S) MADE A PART OF THIS POLICY AT TIME OF ISSUE:

CF150 (11-85), CP0090 (07-88), CP0010 (06-07), SLP-2 (01-97)  
CP1030 (06-07), CP1218 (06-07), CP1032 (08-08), LUM153A (01-08)  
CP1045 (08-99), CPDS06 (10-00), CP0166 (09-00), LUM130 (06-04)  
CP0140 (07-06), CL150 (11-85), CG0001 (12-07), LUM123 (02-01)  
CG2010 (07-04), CG2147 (12-07), CG2173 (01-08), LUM145 (02-06)  
LUM151 (01-08), CG2155 (09-99), CG2167 (12-04), CG2196 (03-05)  
CG2186 (12-04), LUM141 (12-05), LUM139 (12-05), CG0068 (05-09)  
CG2132 (05-09), CI150 (11-85), CM0001 (09-04), IN755 (05-86)  
LUM158 (10-08), CM0141 (09-00), BM12 (11-04), GU207ME (08-11)  
EB0020 (09-11), EBP002 (08-08), EB9962 (09-10), EB9963 (09-10)  
IL0017 (11-98), IL0021 (09-08), IL0953 (01-08), IL0263 (09-08)  
IL0935 (07-02), IL0985 (01-08), PN-1 (07-01)

Countersigned By

Countersignature  
Not Required

Authorized Representative(s) Date

These Declarations together with the Common Policy Conditions, Coverage Part Declarations, Coverage Part Coverage form(s) and Forms and Endorsements, if any, issued to form a part thereof, complete the above numbered policy.

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1891

COMMERCIAL PROPERTY COVERAGE PART  
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

BUSINESS DESCRIPTION: MULCH MFG

DESCRIPTION OF PREMISES - - - - -

Prem	Bldg	No	Location, Construction and Occupancy
------	------	----	--------------------------------------

1        1     FRAME  
            SHOP & OFFICE  
            2105 MADISONVILLE ROAD  
            HOPKINSVILLE  
            CHRISTIAN, KY    42241

1        2     FRAME  
            OFFICE  
            2105 MADISONVILLE ROAD  
            HOPKINSVILLE  
            CHRISTIAN, KY    42241

1        3     FRAME  
            STORAGE  
            2105 MADISONVILLE ROAD  
            HOPKINSVILLE  
            CHRISTIAN, KY    42241

2        1     NON-COMBUSTIBLE  
            OFFICE TRAILER  
            287 DOVER ROAD  
            CLARKSVILLE  
            MONTGOMERY, TN    37042

2        2     NON-COMBUSTIBLE  
            STORAGE TRAILER  
            287 DOVER ROAD  
            CLARKSVILLE  
            MONTGOMERY, TN    37042

2        3     NON-COMBUSTIBLE  
            STORAGE TRAILER  
            287 DOVER ROAD  
            CLARKSVILLE

CF 150 (11-85)

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0065  
03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL PROPERTY COVERAGE PART  
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

MONTGOMERY, TN 37042

2 4 NON-COMBUSTIBLE  
STORAGE TRAILER  
287 DOVER ROAD  
CLARKSVILLE  
MONTGOMERY, TN 37042

3 1 NON-COMBUSTIBLE  
MULCH BUSINESS  
4410 HANSON ROAD  
MADISONVILLE  
HOPKINS, KY 42431

COVERAGE PROVIDED - - - - -

Insurance at the described Premises applies only for Coverages for which a Limit of Insurance is shown.

Coverage	Frem No	Bldg No	Limit of Insurance	Covered Causes of Loss	Coinsurance	Premium
BUILDING	1	1	52,520	SPECIAL	80%	INCL.
YOUR BUSINESS PERSONAL PROPERTY	1	1	53,880	SPECIAL	80%	INCL.
BUILDING	1	2	42,640	SPECIAL	80%	INCL.
YOUR BUSINESS PERSONAL PROPERTY	1	2	11,440	SPECIAL	80%	INCL.
BUILDING	1	3	12,480	SPECIAL	80%	INCL.
BUILDING	2	1	33,600	SPECIAL	80%	INCL.
YOUR BUSINESS PERSONAL PROPERTY	2	1	5,000	SPECIAL	80%	INCL.
BUILDING	2	2	16,000	SPECIAL	80%	INCL.
BUILDING	2	3	16,000	SPECIAL	80%	INCL.
BUILDING	2	4	16,000	SPECIAL	80%	INCL.
BUILDING	3	1	120,000	SPECIAL	80%	INCL.
YOUR BUSINESS PERSONAL PROPERTY	3	1	5,000	SPECIAL	80%	INCL.
Premium for this Coverage Part						INCL.
Endorsement Premium						INCL.
Total Premium						INCL.

CF 150 (11-85)

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0066  
03/01/13

PENNSYLVANIA LUMBERMENS MUTU INSURANCE COMPANY (800) 752-1895

COMMERCIAL PROPERTY COVERAGE PART  
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

## OPTIONAL COVERAGES - - - - -

Coverage	Prem No	Bldg No	Deductible	Agreed Value Expiration	Amount	Inflation Guard
BUILDING	1	1	\$	1,000		0%
YOUR BUSINESS PERSONAL PROPERTY	1	1	\$	1,000		
BUILDING	1	2	\$	1,000		0%
YOUR BUSINESS PERSONAL PROPERTY	1	2	\$	1,000		
BUILDING	1	3	\$	1,000		0%
BUILDING	2	1	\$	1,000		0%
YOUR BUSINESS PERSONAL PROPERTY	2	1	\$	1,000		
BUILDING	2	2	\$	1,000		0%
BUILDING	2	3	\$	1,000		0%
BUILDING	2	4	\$	1,000		0%
BUILDING	3	1	\$	1,000		0%
YOUR BUSINESS PERSONAL PROPERTY	3	1	\$	1,000		

Prem No	Bldg No	Replacement Building	Cost Personal	Business Including Property	Income Monthly	Indemnity Stock	E.Q. Period	Deductible Percent
1	1	X	X					
1	2	X	X					
1	3	X						
2	1	X	X	X				
2	2	X						
2	3	X						
2	4	X						
3	1	X	X					

## MORTGAGE HOLDER(S)/LOSS PAYEE - - - - -

## Mortgage Holder(s)/Loss Payee Name and Mailing Address

MARK & JANE WELLS  
 7130 HARMONY GROVE ROAD  
 CROFTON, KY 42217  
 STANDARD MORTGAGEE CLAUSE

MARK &amp; JANE WELLS

CF 150 (11-85)

BROKER COPY

0067  
03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

**COMMERCIAL PROPERTY COVERAGE PART  
AMENDED DECLARATIONS**

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

MORTGAGE HOLDER(S)/LOSS PAYEE - - - - -

Mortgage Holder(s)/Loss Payee Name and Mailing Address

7130 HARMONY GROVE ROAD  
CROFTON, KY 42217  
LOSS PAYABLE CLAUSE

MARLIN BANK & INSURANCE  
SERVICE CENTER  
P.O. BOX 368  
MARLTON, NJ 08053  
LOSS PAYABLE CLAUSE

BANK OF AMERICA, NA  
MAIL CODE SC3-250-02-43  
121 MOORE - HOPKINS LANE  
COLUMBIA, SC 29210  
LOSS PAYABLE CLAUSE

MODSPACE  
1200 SWEDESFORD ROAD  
BERWYN, PA 19312  
LOSS PAYABLE CLAUSE

FIRST DATA  
4000 CORAL RIDGE DRIVE  
CORAL SPRINGS, FL 33065  
LOSS PAYABLE CLAUSE

**FORMS AND ENDORSEMENTS** - - - - -  
Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

CF150	(11-85),	CP0090	(07-88),	CP0010	(06-07),	IL0017	(11-98)
SLP2	(01-97),	CP1030	(06-07),	CP1218	(06-07),	CP1032	(08-08)
IL0953	(01-08),	LUM153A	(01-08),	CP1045	(08-99),	CPDS06	(10-00)
IL0263	(09-08),	IL0935	(07-02),	CP0166	(09-00),	IL0985	(01-08)
PN-1	(07-01),	LUM130	(06-04),	CP0140	(07-06),		

These Declarations are part of the Policy Declarations containing the Name of the Insured and Policy Period.

CF 150 (11-85)

BROKER COPY

0068  
03/01/13

PENNSYLVANIA LUMBERMENS MUTL INSURANCE COMPANY (800) 752-1895

**COMMERCIAL GENERAL LIABILITY COVERAGE PART  
AMENDED DECLARATIONS**

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

## LIMITS OF INSURANCE

### General Aggregate Limit

(Other Than Products--Completed Operations) \$ 2,000,000

Products--Completed Operations Aggregate Limit..... 2,000,000

Personal and Advertising Injury Limit..... 1,000,000

PERSONAL AND ADVERTISING INJURY LIMIT..... 1,000,000  
Each Occurrence Limit..... 1,000,000

Each Occurrence Limit..... 1,000,000  
Fire Damage Limit..... 100,000 Any One Fire

Coverage A of this Insurance does not apply to 'bodily injury' or 'property damage' resulting from:

更多資訊請上網查詢：[www.taiwantravel.gov.tw](http://www.taiwantravel.gov.tw) 或撥打服務專線：02-2366-0000

• 第二章 基本概念与方法 •

Rundgang: Begegnungsraum MULCH, 1993

Location of All Premises You Own, Rent Or Occupy:

PREMIUM 一 等 级 品 质 一 高 端 品 牌 一 精 工 品 质 一 独 创 品 牌 一 精 工 品 质 一 独 创 品 牌

Classification	Code No.	Advance Premium		
		Premium basis	Pr/Co	All Other
WOOD PRODUCTS MFG.- NOC	59985	800,000	GS INCL.	INCL.
WOOD PRODUCTS MFG.- NOC	59985	50,000	GS INCL.	INCL.
WOOD PRODUCTS MFG.- NOC	59985	50,000	GS INCL.	INCL.
Premium for this Coverage Part				INCL.
Endorsement Premium				\$1,100.00
Total Premium				\$3,462.00

1 GS = \$1,000 OF Gross Sales

CL 150 (ED. 11-85)

BROKER COPY

0069  
03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12 .

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

CL150 (11-85), CG0001 (12-07), IL0017 (11-98), IL0021 (09-08)  
LUM123 (02-01), CG2010 (07-04), CG2147 (12-07), CG2173 (01-08)  
LUM145 (02-06), LUM151 (01-08), IL0263 (09-08), CG2155 (09-99)  
CG2167 (12-04), IL0985 (01-08), PN-1 (07-01), CG2196 (03-05)  
CG2186 (12-04), LUM141 (12-05), LUM139 (12-05), CG0068 (05-09)  
CG2132 (05-09)

These Declarations are part of the Policy Declarations containing the Name of the Insured and the Policy Period

CL 150 (ED. 11-85)

BROKER COPY

0070  
03/01/13

PENNSYLVANIA LUMBERMENS MUTL INSURANCE COMPANY (800) 752-1895

COMMERCIAL INLAND MARINE COVERAGE PART  
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

BUSINESS DESCRIPTION: MULCH MFG

PREMIUM - - - - -

Premium for this Coverage Part INCL.

MORTGAGE HOLDER(S)/LOSS PAYEE - - - - -

Mortgage Holder Name and Mailing Address

MARK & JANE WELLS  
7130 HARMONY GROVE ROAD  
CROFTON, KY 42217  
LOSS PAYABLE CLAUSE

LEAF  
P.O. BOX 979127  
MIAMI, FL 33197-9127  
LOSS PAYABLE CLAUSE

CLAY MOHON MOWING LLC,  
PO BOX 1604  
HOPKINSVILLE, KY 42241  
ADDITIONAL INSURED

LEAF CAPITAL FUNDING LLC,  
ISAOA  
2005 MARKET ST., 14TH FL.  
PHILADELPHIA, PA 19103  
LOSS PAYABLE AND ADDITIONAL INSURED CLAUSE

MACZAC CONTRACTING  
P.O. BOX 1064

HOPKINSVILLE, KY 42241-1064  
ADDITIONAL INSURED

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

CI150 (11-85); CM0001 (09-04), IM755 (05-86), IL0935 (07-02)

CI 150 (11-85)

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0071  
03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL INLAND MARINE COVERAGE PART  
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,  
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

LUM158 (10-08), IL0263 (09-08), CM0141 (09-00), IL0017 (11-98)

These Declarations are part of the Policy Declarations containing the Name of the Insured and the Policy Period.

CI 150 (11-85)

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0072  
03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1891

16-M030-01-12 EQUIPMENT BREAKDOWN COVERAGE ENDORSEMENT  
 SCHEDULE  
 COMMERCIAL PACKAGE POLICY

Subject to any applicable limits on the Declarations, the Equipment Breakdown Limit is the most we will pay for loss or damage arising from any one Accident.

These coverages apply to all locations covered on the policy, unless otherwise specified.

COVERAGES	LIMITS
Equipment Breakdown Limit	\$ 384,560
Business Income	\$
Extra Expense	\$
Utility Interruption	\$ 100,000
Expediting Expense	\$ 100,000
Hazardous Substances	\$ 100,000
Water Damage	\$ 100,000
Ammonia Contamination	\$ 100,000
Data & Media	\$ 100,000
Spoilage	\$ 100,000
Ordinance or Law	\$ 100,000
Errors & Omissions	\$ 100,000
Brands & Labels	\$ 100,000
Consequential Loss	\$ 100,000
Newly Acquired Premises	\$ 250,000
Diagnostic Equipment	\$ 100,000

DEDUCTIBLES	
Combined, All Coverages	\$
Direct Coverages	\$ 5,000
Indirect Coverages	\$
Spoilage	\$

## OTHER CONDITIONS

BM1Z (11-04)

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03/01/13

Appendix XII-B1

	<b>CIVIL CASE INFORMATION STATEMENT (CIS)</b> Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 <b>Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed</b>		<b>FOR USE BY CLERK'S OFFICE ONLY</b> PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO. AMOUNT: OVERPAYMENT: BATCH NUMBER:
ATTORNEY / PRO SE NAME Eric R. Brown, Esquire		TELEPHONE NUMBER (856) 414-6000	COUNTY OF VENUE Ocean
FIRM NAME (if applicable) Marshall, Dennehey, Warner, Coleman & Goggin		DOCKET NUMBER (when available) OCN-L- <i>81374-15</i>	
OFFICE ADDRESS 200 Lake Drive East, Suite 300 Cherry Hill, NJ 08002		DOCUMENT TYPE Complaint and jury trial demand	
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) Plaintiff M&J Landscape Products, LLC, and Mark Sievert		CAPTION M&J Landscape Products, LLC. and Mark Sievert v. Pennsylvania Lumbermens Mutual Insurance Company	
CASE TYPE NUMBER <small>(See reverse side for listing)</small> 505	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input type="checkbox"/> NO <small>IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.</small>	
RELATED CASES PENDING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> No		<small>IF YES, LIST DOCKET NUMBERS</small> OCN-L-3783-13	
DO YOU ANTICIPATE ADDING ANY PARTIES <small>(arising out of same transaction or occurrence)?</small> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> None <input type="checkbox"/> UNKNOWN	
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<small>IF YES, IS THAT RELATIONSHIP:</small> <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input type="checkbox"/> No			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION		<small>RECEIVED &amp; FILED</small> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <i>MAY 14 2015</i> </div>	
DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<small>IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION</small>	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<small>IF YES, FOR WHAT LANGUAGE?</small>	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE:			

Side 2



## CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

### CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

#### Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

#### Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (Includes bodily injury)
- 699 TORT - OTHER

#### Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 809 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

#### Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

#### Multicounty Litigation (Track IV)

271 ACCUTANE/ISOTRETINOIN	289 REGLAN
274 RISPERDAL/SEROQUEL/ZYPREXA	290 POMPON LAKES ENVIRONMENTAL LITIGATION
278 ZOMETA/AREDIA	291 PELVIC MESH/GYNECARE
279 GADOLINIUM	292 PELVIC MESH/BARD
281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL	293 DEPUY ASR HIP IMPLANT LITIGATION
282 FOSAMAX	295 ALLODERM REGENERATIVE TISSUE MATRIX
285 STRYKER TRIDENT HIP IMPLANTS	296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS
286 LEVAQUIN	297 MIRENA CONTRACEPTIVE DEVICE
287 YAZ/YASMIN/OCELLA	601 ASBESTOS
288 PRUDENTIAL TORT LITIGATION	623 PROPECIA

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1,  
in the space under "Case Characteristics."

Please check off each applicable category     Putative Class Action     Title 59

OCEAN COUNTY SUPERIOR COURT  
OCEAN COUNTY COURTHOUSE  
CIVIL LAW DIVISION  
TOMS RIVER NJ 08754

COURT TELEPHONE NO. (732) 929-2016  
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: MAY 18, 2015  
RE: M&J LANDSCAPE PRODUCTS VS PENNSYLVANIA LUMBERMENS  
DOCKET: OCN L -001374 15

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MARK A. TRONCONE

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002

AT: (732) 929-4771 EXT 4771.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

ATT: ERIC R. BROWN  
MARSHALL DENNEHEY WARNER COLE  
WOODLAND FALLS CORP CTR  
230 LAKE DR E STE 300  
CHERRY HILL NJ 08002

JUAMH6